

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAN 17 2007

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)

v.)

KEVIN ONEIL BROWN)

CR. NO. 2:07cr11-WKW

[18 U.S.C. § 371

18 U.S.C. § 641

18 U.S.C. § 1343

18 U.S.C. § 2]

INDICTMENT

The Grand Jury charges:

INTRODUCTION

1. At all times relevant to this Indictment, the defendant **KEVIN ONEIL BROWN**, resided in the Middle District of Alabama. At times relevant to this Indictment Brown shared an apartment in Greenville, Alabama with Alethia Scott, a co-conspirator.

2. On or about September 29, 2005, Scott caused to be filed with the Federal Emergency Management Agency ("FEMA"), an agency within the United States Department of Homeland Security, an application for benefits in connection with Hurricane Katrina, which falsely represented that she had suffered losses to a trailer she owned as her primary residence in Stockton, Alabama. At times relevant to this Indictment, Brown assisted Scott in propagating this portion of the scheme.

3. On or about September 13, 2005, Brown filed with the American Red Cross an application for disaster assistance in connection with Hurricane Katrina, which falsely represented that he lived at and suffered losses a residence at 11240 Broughton Rd. in

SCANNED

Stockton, Alabama. Scott filed similar claims with the American Red Cross on September 12, 2005, and October 3, 2005.

4. In fact, neither Brown, nor Scott resided in Stockton, owned a trailer, or suffered any of the losses claimed.

5. FEMA accepted Scott's application and caused a series of United States Treasury checks in the amounts of \$12,708.00, \$2,208.00, \$315.46, and \$10,968.54, respectively to be mailed to an address in Greenville, Alabama. Scott received each of the checks and cashed them. At times relevant to the Indictment, Brown received proceeds from and benefitted from these checks.

6. The American Red Cross accepted Brown's application and wire transferred him two Western Union Money Transfers from Washington, D.C. to Greenville, Alabama in the amounts of \$1,000.00 and \$565.00. Brown received each of the money transfers and cashed both of them.

COUNT 1 – CONSPIRACY

THE CONSPIRACY AND ITS OBJECTS

7. From on or about September 29, 2005 through on or about March 31, 2006, the exact dates being unknown to the Grand Jury, in the Middle District of Alabama, and elsewhere, the defendant,

KEVIN ONEIL BROWN,

and Scott did combine, conspire, confederate, and agree to:

- (a) embezzle, steal, purloin, and knowingly convert to their own use money and things of value of the United States in an amount in excess of \$1,000, and to receive, conceal, and retain the same with the intent to convert it to their use and gain, knowing it to have been embezzled, stolen, purloined and converted, contrary to Title 18, United States Code, Section 641;
- (b) devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises and in furtherance of this scheme did knowingly and willfully transmit and cause to be transmitted by means of wire communications in interstate commerce, writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

MANNER AND MEANS OF THE CONSPIRACY

8. It was part of the conspiracy that Brown and Scott agreed to create a scheme to receive and cash Hurricane Katrina disaster checks from FEMA and from the American Red Cross.

OVERT ACTS

9. In order to effect the object of the conspiracy, Scott did a number of overt acts, including:

- (a) filing the application for benefits with FEMA;
- (b) cashing the disaster assistance checks;
- (c) sharing in the proceeds of FEMA checks with Brown; and
- (d) filing false American Red Cross Applications.

10. In order to effect the object of the conspiracy, Brown did a number of overt acts, including:

- (a) driving Scott to Stockton, Alabama in order to meet with a FEMA inspector;

- (b) assisting Scott in the cashing of FEMA disaster assistance checks;
- (c) sharing in the proceeds of the FEMA checks with Scott; and
- (d) traveling to a store in Greenville, Alabama in order to sign for and cash two Western Union Money Transfers.

All in violation of Title 18, United States Code, Section 371.

COUNTS 2-5 – THEFT OF GOVERNMENT PROPERTY

11. The allegations set forth in paragraphs 1 through 10 of Count 1 of this Indictment are hereby realleged as if set forth herein.

12. On or about the dates set forth below, in Butler County, within the Middle District of Alabama, and elsewhere,

KEVIN ONEIL BROWN,

did, while aiding and abetting Scott and while being aided and abetted by her, embezzle, steal, purloin, and knowingly convert to his own use money and things of value of the United States and of a department and agency thereof, in an amount in excess of \$1,000, as described below:

Count	Date	Item
2	October 12, 2005	FEMA disaster assistance funds in the amount of \$12,708.00.
3	January 24, 2006	FEMA disaster assistance funds in the amount of \$2,208.00.
4	February 27, 2006	FEMA disaster assistance funds in the amount of \$315.46.

5	March 31, 2006	FEMA disaster assistance funds in the amount of \$10,968.54.
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All in violation of Title 18, United States Code, Sections 641 and 2.

COUNTS 6-7 – WIRE FRAUD

13. The allegations set forth in paragraphs 1 through 12 of this Indictment are hereby realleged as if set forth herein.

14. From on or about September, 2005 until on or about October, 2005 in Butler County, within the Middle District of Alabama, and elsewhere, the defendant,

KEVIN ONEIL BROWN,

did, while aiding and abetting Scott and while being aided and abetted by her, devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, namely Brown falsely represented to the American Red Cross that he was a victim of Hurricane Katrina.

15. On or about the following dates, in the Middle District of Alabama and elsewhere, for the purpose of executing the scheme and artifice described in paragraph 14, the defendant,

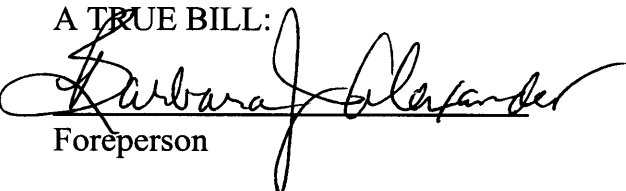
KEVIN ONEIL BROWN,

did, while aiding and abetting Scott and while being aided and abetted by her, knowingly and willfully transmit and cause to be transmitted by means of wire communications in interstate commerce, the following writings, signs, signals, pictures, and sounds:

Count	Date	Item
6	September 13, 2005	Western Union Wire Transfer, Number 6001850906, in the amount of \$1,000.00 from Washington, DC to Greenville, Alabama.
7	September 13, 2005	Western Union Wire Transfer, Number 6001850907, in the amount of \$565.00 from Washington, DC to Greenville, Alabama.

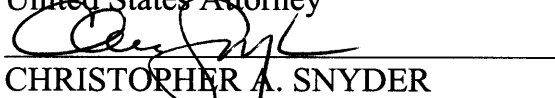
All in violation of Title 18, United States Code, Sections 1343 and 2.

A TRUE BILL:


Foreperson


LEURA G. CANARY

United States Attorney


CHRISTOPHER A. SNYDER
Assistant United States Attorney